

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

**EARLENE MAXWELL, next friend
and mother of DMM, a minor**

PLAINTIFF

VS.

CIVIL ACTION NO. 3:06CV290WA

JACKSON PUBLIC SCHOOL DISTRICT

DEFENDANT

ORDER

This matter came before the court on the Plaintiff's Motion to Join Defendant and for Leave to Amend Complaint, by which he seeks to add an individual employee of the school district to his lawsuit based upon violation of 42 U.S.C. § 1983 and the Americans with Disabilities Act ("ADA"), 42 U.S.C. §§ 12101-213. The Defendant opposes the Motion and has enumerated several reasons why a suit against the employee cannot be maintained. The Plaintiff has not rebutted these arguments; therefore, the court finds that the Motion should be denied.

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion to Join Defendant and for Leave to Amend Complaint is hereby **denied**.

IT IS SO ORDERED, this the 11th day of December, 2006.

S/Linda R. Anderson
UNITED STATES MAGISTRATE JUDGE